REMARKS

Claims 1-39 are pending in the application. Claim 32 has been amended.

Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 32-37 were rejected under 35 U.S.C. § 112, second paragraph as failing to distinctly claim the invention. In particular, the Office Action points to the phrase "allow a user to rewards" in claim 32 as being indefinite. Claim 32 has been amended by inserting the term "redeem" before "rewards" in this phrase. In view of this amendment, reconsideration and withdrawal of the rejection of claims 32-37 under 35 U.S.C. § 112, second paragraph is respectfully requested.

Claim Rejections Under 35 U.S.C. §§ 102(b) and 103(a)

Claims 1-25 and 32-39 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,740,549 to Reilly et al. ("Reilly"). Claims 26-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Reilly.

The present invention pertains to a computerized interactive offer and reward processing system. In an embodiment of the present invention, a local computer coupled to a computer network is presented with an image that includes a reward indicator. At a central location coupled to the computer network, the identity of the user is determined. The user is allocated a reward associated with the selected image at the central location. Optionally, the local computer can be redirected to content associated with the image. The present invention can be used with personal computers or across any other networked devices.

Reilly concerns an information and advertising distribution system and method. In

3

Reilly, workstations include a profiler that stores subscriber profile data representing

subscriber information viewing preferences. Each remote workstation includes an

information display controller that includes a filter for excluding information items stored at

the workstation. In doing so, information items that are inconsistent with the subscriber

profile are prevented from being displayed on the local display device.

The PointCast system described in Reilly presents a system where a user can pre-

select categories of information that he/she desires to see. When the user's computer is

inactive for a predetermined amount of time, a screen saver appears that displays a subset of

the information provided by a network. The subset of advertisements and news that are

displayed correspond to the preselected categories of information by the user.

The objective of Reilly is very different from that of the present invention. In Reilly, a

news and information screen saver is provided that selects information and news based on

predefined selection criteria. An objective of the present application is to provide an

interactive offer and reward processing system that issues and redeems coupons, for example,

for use in interactive media such as the Internet. The user can select on coupons as they come

across them.

In the method of claim 1, for example, it states that an image is displayed on a

computer screen of a local computer that comprises a reward indicator and that a reward is

allocated to the user associated with an image displayed at a local computer and selected by

the user. This feature of claim 1 is wholly missing from the Reilly reference.

At page 2 of the Office Action, it states that a reward indicator can be found at col. 9,

lines 65 to Col. 10, line 4 of Reilly. This section does not refer to a reward indicator at all.

Looking at Fig. 6 of Reilly, three news story "headlines" are presented with an advertisement

image. No reward is mentioned or implied in this section of Reilly.

At pages 2-3 of the Office Action, it states that the reward feature is further met by Col. 14, line 58 to Col. 15, line 4 ("at the central location, allocating to the user information associated with the image and in which the user has expressed interest … which reads on allocation to the user a reward."). In the cited section, the application server determines what news items and advertisement items need to be updated at the local computer and sends that data to the remote computer for storage in the local information database. Since such information is sent before the user selects a headline or advertisement image, it is unclear how this downloading of information to the remote computer can be interpreted as a reward.

Claim 1 states that an image is selected by the user and that a reward is allocated to the user at the central location, the reward associated with the selected image. Clearly these steps are not provided in Reilly. In Reilly, after data is loaded into the local information database, and the elapse of a predetermined amount of idle time for the local computer, a screen saver is displayed along with headline and advertisement images. Additionally, Reilly states that when an image is selected by the user, the full text associated with the headline is displayed. In the present application, there is no precondition of idleness. The Examiner's interpretation of this step as corresponding to allocating a reward to the user is at odds with the description in Reilly and the claim language.

First, Reilly in no manner discusses or suggests allocating a reward when a headline or advertisement is selected. What happens is that the "full text" of the headline or advertisement is displayed. Second, claim 1 states in the last step that the local computer is optionally redirected to content associated with the image. The claim language clearly represents that the "reward" and the "content" are two different features of the claim. At best,

5

the "full text" of Reilly would be the content associated with the image, but cannot and should

not be interpreted to be a reward as recited in the claim.

In addition to claim 1, the reward concept is found in each of the other independent

claims. With respect to claims 17, 32 and 38, these claims further recite features concerning

the redeeming of a reward. Claim 20 further recites a database storing a list of available

offers including rewards and conditions associated with the available offers. These features

are not shown or suggested by Reilly. In the Office Action it states that allowing a user to

view information at a web-site reads on redeeming a reward. The language used in these

claims describes features that are much more involved that viewing information on a web-

site. For example, claim 17 recites the steps of providing a user with a list of rewards

associated with the user; allowing the user to select a reward; and redeeming the reward of a

promoter computer associated with the selected reward either online or at a physical location.

Since Reilly is not even remotely related to redeeming rewards, it cannot be said that these

steps are taught or suggested by Reilly at all. As outlined in Claim 1 of Reilly, users initially

must select from pre-defined categories of news and advertising in order to create a profile for

the system to operate. This is not a precedent or subsequent condition or process in the

present application and claims.

Finally, many features of the dependent claims are not taught or suggested by the

Reilly reference. For example, claim 16 refers to the printing of a reward and redeeming that

reward at a physical location (e.g., the printing of a coupon for redeeming a reward). Claims

2, 3, and 23 refer to the use of cookies to store ID numbers for the user that can be used in the

giving of rewards. Neither of these features is found in the Reilly reference.

Since basic features of each of the claims are missing from Reilly, reconsideration and

6

withdrawal of the rejection of claims 1-39 under 35 U.S.C. §§ 102(b) and 103(a) is respectfully requested.

CONCLUSION

For all the above reasons, the Applicant respectfully submits that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

The Examiner is invited to contact the undersigned at (408) 975-7500 to discuss any matter concerning this application. The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,
KENYON & KENYON

Dated: ___December 6, 2001___   By: _____
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Marked up copy of the amended claims:

32.   (Amended)   An interactive computer-controlled reward system to allow a user to <u>redeem</u> rewards previously collected by the user, each reward associated with a promoter, the system comprising:

a computer network;

a central computer coupled to the computer network, the central computer comprising a database, the database storing a list of registered users and a list of rewards that have been previously collected by each user and that are available for redemption;

a user computer coupled to the computer network, the user computer enabling the user to select a reward for redemption from the list of rewards; and

a promoter computer coupled to the computer network, the promoter computer operated by a promoter;

wherein, when the user wishes to redeem a reward, control is passed to the central computer which identifies the user and allows the user to select a reward from the list of rewards, and thereafter control is passed to the promoter computer for the user to redeem the selected reward.